

FISHERIES

General Provisions

These regulations implement the provisions of Title VIII of ANILCA relevant to the taking of fish and shellfish on public lands in the State of Alaska. The regulations in this part do not permit subsistence uses in Glacier Bay National Park, Kenai Fjords National Park, Katmai National Park, and that portion of Denali National Park established as Mt. McKinley National Park prior to passage of ANILCA, where subsistence taking and uses are prohibited. The regulations in this part do not supersede agency specific regulations.

These regulations apply on all public lands and waters, including all non-navigable waters located on these lands, on all navigable and non-navigable water within the exterior boundaries of the following areas, and on inland waters adjacent to the exterior boundaries of the following areas:

- Alaska Maritime National Wildlife Refuge;
- Alaska Peninsula/Becharof National Wildlife Refuge;
- Aniakchak National Monument and Preserve;
- Arctic National Wildlife Refuge;
- Bering Land Bridge National Preserve;
- Cape Krusenstern National Monument;
- Chugach National Forest, excluding marine waters;
- Denali National Preserve and the 1980 additions to Denali National Park;
- Gates of the Arctic National Park and Preserve;
- Glacier Bay National Preserve;
- Innoko National Wildlife Refuge;
- Izembek National Wildlife Refuge;
- Katmai National Preserve;
- Kanuti National Wildlife Refuge;
- Kenai National Wildlife Refuge;
- Kobuk Valley National Park;
- Kodiak National Wildlife Refuge;
- Koyukuk/Nowitna National Wildlife Refuge;
- Lake Clark National Park and Preserve;
- National Petroleum Reserve in Alaska;
- Noatak National Preserve;
- Selawik National Wildlife Refuge;
- Steese National Conservation Area;
- Tetlin National Wildlife Refuge;
- Togiak National Wildlife Refuge;
- Tongass National Forest, including Admiralty Island National Monument and Misty Fjords National Monument, and excluding marine waters;
- White Mountains National Recreation Area;
- Wrangell-St. Elias National Park and Preserve;
- Yukon-Charley Rivers National Preserve;
- Yukon Delta National Wildlife Refuge; and
- Yukon Flats National Wildlife Refuge.

This also includes all components of the **Wild and Scenic Rivers System** located outside the boundaries of National Parks, National Preserves or National Wildlife Refuges (including segments of the Alagnak River, Beaver Creek, Birch Creek, Delta River, Fortymile River, Gulkana River, and Unalakleet River).

These public lands remain subject to change through rulemaking pending a Department of the Interior review of title and jurisdictional issues regarding certain submerged lands beneath navigable waters in Alaska.

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Statewide Map: Federal Lands and Fishery Management Areas



Fishery Management Areas

- Alaska Peninsula Area
- Aleutian Islands Area
- Bristol Bay Area
- Chignik Area
- Cook Inlet Area
- Kodiak Area
- Kotzebue Area
- Kuskokwim Area
- Norton Sound/Port Clarence Area
- Prince William Sound Area
- Southeastern Alaska Area
- Yakutat Area
- Yukon/Northern Area

FISHERIES TERMS

The following general terms apply to subsistence fisheries. Shellfish terms are listed separately in the shellfish section. Also refer to the **GENERAL DEFINITIONS** on pages xiv-xv.

Anchor means a device used to hold a fishing vessel or net in a fixed position relative to the beach; this includes using part of the seine or lead, a ship's anchor, or being secured to another vessel or net that is anchored.

Beach seine means a floating net which is designed to surround fish and is set from and hauled to the beach.

Cast net means a circular net with a mesh size of no more than 12 inches and weights attached to the perimeter which, when thrown, surrounds the fish and closes at the bottom when retrieved.

Char means the following species: Arctic char (*Salvelinus alpinus*); lake trout (*Salvelinus namaycush*); brook trout (*Salvelinus fontinalis*), and Dolly Varden (*Salvelinus malma*).

Depth of net means the perpendicular distance between cork line and lead line expressed as either linear units of measure or as a number of meshes, including all of the webbing composing the net.

Dip net means a bag-shaped net supported on all sides by a rigid frame; the maximum straight-line distance between any two points on the net frame, as measured through the net opening, may not exceed 5 feet; the depth of the bag must be at least 1/2 of the greatest straight-line distance, as measured through the net opening. No portion of the bag may be constructed of webbing that exceeds a stretched measurement of 42 inches. The frame must be attached to a single rigid handle and be operated by hand.

Drift gillnet means a drifting gillnet that has not been intentionally staked, anchored or otherwise fixed.

Fishwheel means a fixed, rotating device, with no more than four baskets on a single axle, for catching fish which is driven by river current or other means.

Fyke net means a fixed, funneling (fyke) device used to entrap fish.

Gear means any type of fishing apparatus.

Gillnet means a net primarily designed to catch fish by entanglement in a mesh that consists of a single sheet of webbing which hangs between cork line and lead line, and which is fished from the surface of the water.

Groundfish (or **bottomfish**) means any marine fish except halibut, osmerids, herring or salmonids.

Hand purse seine means a floating net which is designed to surround fish and which can be closed at the bottom by pursing the lead line. Pursing may only be done by hand power, and a free-running line through one or more rings attached to the lead line is not allowed.

Handline means a hand-held and operated line, with one or more hooks attached.

Herring pound means an enclosure used primarily to contain live herring over extended periods of time.

Hung measure means the maximum length of the cork line when measured wet or dry with traction applied at one end only.

Jigging gear means a line (or lines) with lures or baited hooks, drawn through the water by hand, and which are operated during periods of ice cover from holes cut in the ice, or from shore ice and which are drawn through the water by hand.

Lead means either a length of net employed for guiding fish into a seine, set gillnet, or other length of net, or a length of fencing employed for guiding fish into a fishwheel, fyke net or dip net.

Legal limit of fishing gear means the maximum aggregate of a single type of fishing gear permitted to be used by one individual or boat, or combination of boats in any particular regulatory area, district or section.

Long line means either a stationary, buoyed, or anchored line, or a floating, free-drifting line with lures or baited hooks attached.

Mechanical jigging machine means a mechanical device with line and hooks used to jig for halibut or bottomfish, but does not include hand gurdies or rods with reels.

Possession limit means the maximum number of fish a person or designated group may have in

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possession if the fish have not been canned, salted, frozen, smoked, dried, or otherwise preserved so as to be fit for human consumption after a 15 day period.

Pot means a portable structure designed and constructed to capture and retain live fish in the water.

Purse seine means a floating net which is designed to surround fish and which can be closed at the bottom by means of a free-running line through one or more rings attached to the lead line.

Rockfish means all species of the genus *Sebastes*.

Rod and reel means either a device upon which a line is stored on a fixed or revolving spool and is deployed through guides mounted on a flexible pole; or a line that is attached to a pole. In either case, bait or an artificial fly or lure is used as terminal tackle. This definition does not include the use of rod and reel gear for snagging.

Salmon means the following species: Pink salmon (*Oncorhynchus gorbuscha*); sockeye "red" salmon (*Oncorhynchus nerka*); chinook "king" salmon (*Oncorhynchus tshawytscha*); coho "silver" salmon (*Oncorhynchus kisutch*); and chum salmon (*Oncorhynchus keta*).

Salmon stream means any stream used by salmon for spawning, rearing, or for traveling to a spawning or rearing area.

Set gillnet means a gillnet that has been intentionally set, staked, anchored, or otherwise fixed.

Spear means a shaft with a sharp point or fork-like implement attached to one end which is used to thrust through the water to impale or retrieve fish and which is operated by hand.

Stretched measure means the average length of any series of 10 consecutive meshes measured from inside the first knot and including the last knot when wet. The 10 meshes, when being measured, must be an integral part of the net, as hung, and measured perpendicular to the selvages. Measurements must be made by means of a metal tape measure while the 10 meshes being measured are suspended vertically from a single peg or nail, under five-pound weight.

Subsistence fishing permit means a permit issued by the Alaska Department of Fish & Game or the Federal Subsistence Board.

To operate fishing gear means any of the following: To deploy gear in the water; to remove gear from the water; to remove fish or shellfish from the gear during an open season or period; or to possess a gillnet containing fish during an open fishing period, except that a gillnet which is completely clear of the water is not considered to be operating for the purposes of minimum distance requirement.

Trawl means a bag-shaped net towed through the water to capture fish or shellfish, and includes beam, otter, or pelagic trawl.

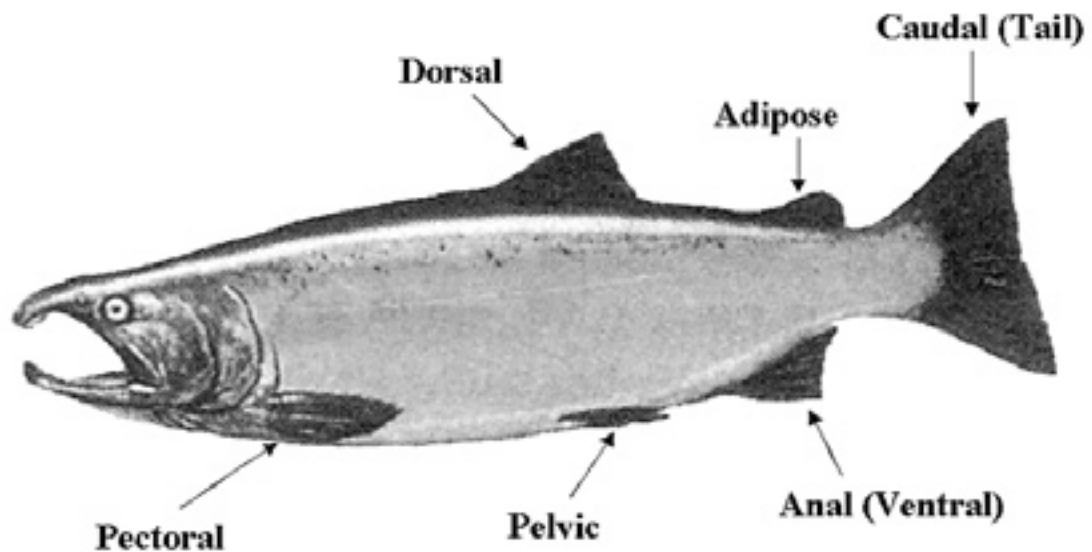
Troll gear means a power gurdy troll gear consisting of a line or lines with lures or baited hooks which are drawn through the water by a power gurdy; hand troll gear consisting of a line or lines with lures or baited hooks which are drawn through the water from a vessel by hand trolling, strip fishing or other types of trolling, and which are retrieved by hand power or hand-powered crank and not by any type of electrical, hydraulic, mechanical or other assisting device or attachment; or dinglebar troll gear consisting of one or more lines, retrieved and set with a troll gurdy or hand troll gurdy, with a terminally attached weight from which one or more leaders with one or more lures or baited hooks are pulled through the water while a vessel is making way.

Trout means the following species: Cutthroat trout (*Oncorhynchus clarki*) and rainbow/steelhead trout (*Oncorhynchus mykiss*).

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Fin Identification

Salmon With Fins Noted



Fish Illustration Courtesy of ADF&G

GENERAL PROVISIONS FOR TAKING FISH

General Provisions:

You may take fish for subsistence uses at any time by any method, unless you are restricted by the subsistence fishing regulations found in this booklet. You may not intentionally waste or destroy any subsistence-caught fish or shellfish. You may not take fish for subsistence uses within 300 feet of any dam, fish ladder, weir, culvert or other artificial obstruction, unless otherwise indicated. Federal harvest limits in a subsistence season for a species are not cumulative with the State harvest limits and season for the same species. This means that if you have taken the subsistence season's harvest limit for a particular species, you may not take any additional fish of that same species under any other State season harvest limit.

Licenses, permits, harvest tickets, and reports:

You must be a rural Alaska resident, but no licenses are required to take fish or shellfish for subsistence uses. However, check the area you wish to fish to see if there are any required State or Federal subsistence fishing permits or permit calendars for that fishery management area. If you have been issued a permit to take fish, you must have that permit in your possession during the taking. Some areas also require special reporting.

You are responsible for complying with all permit requirements and the regulations for methods and means, possession and transportation, and use. If a State or Federal law enforcement agent requests it, you must produce any licenses, permits, harvest tickets, or other required documents. The agents can also inspect any apparatus designed for taking fish or shellfish, or any fish in your possession.

You must complete and validate any harvest tickets, permits, or other required documents before removing your fish from the harvest site. If you take fish under a community harvest system, you must report the harvest activity.

Read your fishing permit carefully. It lists the number of fish you can take for subsistence uses. Before fishing, you must get the permit, keep it in your possession and available for inspection while fishing or transporting subsistence-taken fish.

The permit may require you to keep accurate daily catch records (such as the number of fish taken by species, location and date of catch) and return them for management and conservation purposes. If you fail to return the record, you may be ineligible to get a subsistence permit for that activity during the following year (unless you can prove the report was lost due to unavoidable circumstances such as mail services, accident, or sickness).

Cultural and Educational Program Harvest Permits:

Organizations that conduct cultural/educational programs or camps may apply for a permit to harvest no more than 25 fish from the U.S. Fish and Wildlife Service, Office of Subsistence Management. A qualifying program must have instructors, enrolled students, minimum attendance requirements, and standards for successful completion of the course. Applications should be submitted to the Office of Subsistence Management 60 days before the earliest desired harvest date.

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Customary Trade and Commercial Uses:

Traditionally, Alaskans exchange fish through barter or customary trade. You can exchange subsistence-harvested fish, fish parts, and fish eggs for cash to support personal and family needs, so long as it does not constitute a significant commercial enterprise. Individuals, businesses, or organizations may not purchase subsistence-taken fish, fish parts, or fish eggs for use in, or resale to, a significant commercial enterprise. The Federal Subsistence Board may recognize regional differences and define customary trade differently for separate regions of the State.

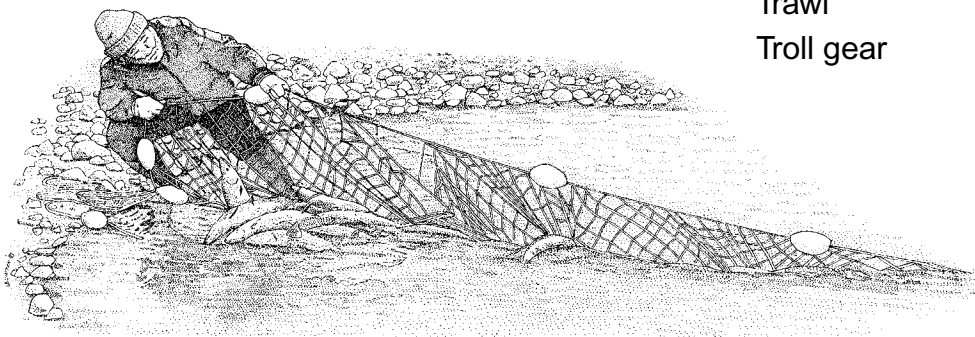
[Note: As this booklet goes to print, the Federal Subsistence Board is considering changes to customary trade regulations. Some changes may come into effect before or during the 2002 fishing season. Please contact the Office of Subsistence Management for updated information.]

Methods and Means of Taking Fish

You may use the following legal types of gear for subsistence fishing, unless otherwise restricted in a specific fisheries management area.

Gear:

- Beach seine
- Cast net
- Drift gillnet
- Dip net
- Fish wheel
- Fyke net
- Hand purse seine
- Handline
- Herring pound
- Jigging gear
- Lead
- Longline
- Mechanical jigging machine
- Pot
- Purse seine
- Rod and reel
- Set gillnet
- Spear
- Trawl
- Troll gear



GENERAL PROVISIONS FOR TAKING FISH

General Restrictions

Bait:

You may not use live, non-indigenous, or subsistence-taken fish as bait for subsistence, commercial, or sport fishing purposes. However, you may use whitefish, herring, and unregulated species (that have no harvest limits or seasons listed) for bait. You may also use the head, tail, fins, and viscera of legally-taken subsistence fish for bait.

Explosives, Chemicals:

You may not use explosives or chemicals to take fish for subsistence uses.

Escape Mechanisms:

All pots used to take fish or shellfish must have an escape mechanism as follows:

All shellfish/bottomfish pots sidewalls (and the tunnel if included) must contain an opening at least 18 inches long and within 6 inches of the pot's bottom and parallel with it (except shrimp pots, where the opening must be at least 6 inches long). These openings must be laced, sewn, and secured together by a single length of untreated, 100 percent cotton twine (no larger than 30 thread, 36 thread for king or tanner crab pots). The cotton twine may only be knotted at each end, not tied or looped around the web bars.

All pots may also use a galvanic timed-release device that must release in no more than 30 days in salt water. This device needs to be attached in a way that when the device releases, the twine must no longer secure or obstruct the pot's opening. The twine may be knotted only at each end and at the attachment points on the galvanic timed-release device.

Dungeness crab pot lids tie-down straps must be secured to the pot at one end by a single loop of untreated, 100 percent cotton twine (no larger than 60 thread). The pot lid must be secured so that, when the twine

degrades, the lid must no longer be securely closed.

Salmon Permits:

You may take salmon only with a subsistence fishing permit, unless the subsistence regulations specifically do not require a permit for an area, or unless you are retaining salmon from your State commercial catch.

Gillnet Restrictions:

Salmon—You may not use a gillnet over 50 fathoms long, unless otherwise noted under the specific fishery management area's regulations. The gillnet web must contain 30 filaments (or more) of equal diameter or at least 6 filaments, each at least 0.20 millimeter in diameter.

Stream Obstructions:

You may not obstruct any stream more than one-half its width with any gear or stationary fishing device for taking fish for subsistence uses, except when otherwise noted in the specific fishery management area's regulations.

Gear Identification:

Fishwheels—Your first initial, last name, and address must be plainly and legibly inscribed on the side of your fishwheel facing midstream of the river.

Kegs, Buoys, Stakes, Unattended

Gear—You may use kegs or buoys of any color but red on any permitted gear. Your first initial, last name, and address must be plainly and legibly inscribed on each keg, buoy, gillnet stakes, on stakes for ice fishing gear, and any other unattended fishing gear you use to take fish for subsistence uses.

Rod and Reel Fishing:

You may use a rod and reel to take fish without a subsistence fishing permit, unless an area requires a permit. Except as otherwise

GENERAL PROVISIONS FOR TAKING FISH

General Restrictions (cont.)

specified, Federal harvest and possession limits for subsistence fishing with a rod and reel are the same as those listed on required harvest permits, or ADF&G subsistence fishing regulations (or, when no subsistence season/harvest limit for that species, the ADF&G sport fishing regulations) in those same areas.

Designating Another to Fish for You (by Harvest Permit only):

If you are a Federally-qualified subsistence user, you (beneficiary) may designate another Federally-qualified subsistence user to take fish on your behalf. Any species of fish allowed for subsistence uses in an area may be taken under a designated harvest permit.

You can only designate one person to fish for you at one time, and cannot fish at the same time as your designated fisherman. Your designated fisherman must get a designated harvest permit before fishing, have the valid

permit when fishing or transporting the fish, and must return a completed harvest report of any fish taken.

A designated fisherman may fish for any number of beneficiaries, but may not have more than two harvest limits in his/her possession at any one time or fish with more than one legal limit of gear.

Commercial fishing:

If you are a Federally-qualified subsistence user who also commercial fishes, you may retain fish for subsistence purposes from your lawfully-taken State commercial catch.

When participating in a State commercial and Federal subsistence fishery at the same time, your combined fishing gear may not exceed that allowed under the State commercial fishing regulations.

